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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/716,295	11/18/2003	Barry Bronson	10003500-2	6941

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HEWLETT-PACKARD COMPANY
Intellectual Property Administration
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EXAMINER

SORRELL, ERON J

ART UNIT	PAPER NUMBER
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2182

DATE MAILED: 10/04/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/716,295

Applicant(s)

BRONSON, BARRY

Examiner

Eron J. Sorrell

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 July 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 and 21-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-16 is/are allowed.
- 6) ☒ Claim(s) 21-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 November 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>11/18/03</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Specification

1. It is noted that this application appears to claim subject matter disclosed in prior Application No. 09/688,706, filed 10/17/2000. A reference to the prior application must be inserted as the first sentence(s) of the specification of this application or in an application data sheet (37 CFR 1.76), if applicant intends to rely on the filing date of the prior application under 35 U.S.C. 119(e), 120, 121, or 365(c). See 37 CFR 1.78(a). For benefit claims under 35 U.S.C. 120, 121, or 365(c), the reference must include the relationship (i.e., continuation, divisional, or continuation-in-part) of all nonprovisional applications. If the application is a utility or plant application filed under 35 U.S.C. 111(a) on or after November 29, 2000, the specific reference to the prior application must be submitted during the pendency of the application and within the later of four months from the actual filing date of the application or sixteen months from the filing date of the prior application. If the application is a utility or plant application which entered the national stage from an international application filed on or after November 29, 2000, after compliance with 35 U.S.C. 371, the specific reference must be submitted during the pendency of the application and within

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the later of four months from the date on which the national stage commenced under 35 U.S.C. 371(b) or (f) or sixteen months from the filing date of the prior application. See 37 CFR 1.78(a)(2)(ii) and (a)(5)(ii). This time period is not extendable and a failure to submit the reference required by 35 U.S.C. 119(e) and/or 120, where applicable, within this time period is considered a waiver of any benefit of such prior application(s) under 35 U.S.C. 119(e), 120, 121 and 365(c). A benefit claim filed after the required time period may be accepted if it is accompanied by a grantable petition to accept an unintentionally delayed benefit claim under 35 U.S.C. 119(e), 120, 121 and 365(c). The petition must be accompanied by (1) the reference required by 35 U.S.C. 120 or 119(e) and 37 CFR 1.78(a)(2) or (a)(5) to the prior application (unless previously submitted), (2) a surcharge under 37 CFR 1.17(t), and (3) a statement that the entire delay between the date the claim was due under 37 CFR 1.78(a)(2) or (a)(5) and the date the claim was filed was unintentional. The Director may require additional information where there is a question whether the delay was unintentional. The petition should be addressed to: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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If the reference to the prior application was previously submitted within the time period set forth in 37 CFR 1.78(a), but not in the first sentence(s) of the specification or an application data sheet (ADS) as required by 37 CFR 1.78(a) (e.g., if the reference was submitted in an oath or declaration or the application transmittal letter), and the information concerning the benefit claim was recognized by the Office as shown by its inclusion on the first filing receipt, the petition under 37 CFR 1.78(a) and the surcharge under 37 CFR 1.17(t) are not required. Applicant is still required to submit the reference in compliance with 37 CFR 1.78(a) by filing an amendment to the first sentence(s) of the specification or an ADS. See MPEP § 201.11.

Election/Restrictions

2. Applicant's election without traverse of claims 1-17 and 21-24 in the reply filed on 7/21/06 is acknowledged.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 21 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Swamy et al. (U.S. Patent No. 6,035,350 hereinafter referred to as Swamy) in view of Kirkendoll (U.S. Patent No. 5,826,042).

5. Referring to claim 21, Swamy teaches a system capable of running presentation software, comprising:

a computer, including a processor that generates screens (see item labeled 100 in figure 1);

a cursor control device, fixably connected to the computer and operably connected to the processor that controls the movement of the cursor (see item labeled 110 in figure 1);

a display that displays the cursor and the screens generated by the processor (see item labeled 112 in figure 1);

a receiver system, operatively connected to the processor, that receives wireless communication of commands and transfers the received commands to the processor (see item labeled 204 in figure 2); and

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a removable input/output (I/O) device, removably connected to the computer and is operable when removed from the computer and functions as a remote control for wirelessly communicating commands to the processor through the receiver system (see lines 37-46 of column 1).

Swamy fails to disclose that the removable (I/O) device is inoperable when connected to the computer system.

Kirkendoll discloses a system wherein when a removable I/O device is coupled to a host system the device is rendered inoperable (see lines 7-9 of column 3 and lines 28-39 of column 4).

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to modify the system of Swamy with the teachings of Kirkendoll such that the removable (I/O) device is inoperable when it is connected to the computer in order to rapidly recharge the battery in the removable I/O device when it is not in use as suggested by Kirkendoll (see lines 28-39 of column 4).

6. Referring to claim 23, Swamy teaches each control button may be configured so that, when pressed, an action is performed, and wherein the action comprises at least one function selected from the group consisting of: displaying a next screen generated

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by the processor; displaying a previous screen generated by the processor; displaying a blank test pattern screen generated by the processor; displaying a time screen generated by the processor; displaying a presentation title screen generate by the processor; activating a laser pointer light; controlling lights of a room; controlling an electronic projector;, and controlling an external multimedia source. (see lines 31-50 of column 3, wherein Swamy discloses at least controlling the display).

7. Claims 22 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Swamy in view of Kirkendoll as applied to claim 21 above, and further in view of Hatakeyama et al. (U.S. Patent No. 6,545,587).

8. Referring to claim 22 the combination of Swamy and Kirkendoll fails to teach the I/O device comprises one or more independently reconfigurable control buttons.

Hatakeyama teaches the above limitation (see lines 1-8 of column 11).

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to modify the combination of Swamy and Kirkendoll with the above teachings of

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Hatakeyama. One of ordinary skill in the art would have been motivated to make such modification in order to control new devices as they are added to the system.

9. Referring to claim 24, Hatakeyama teaches the I/O device further comprises a display, the display may perform at least one function selected from group consisting of: displaying a time associated with a presentation; displaying a light associated with a predetermined time limit for a presentation (see item 82 in figure 8).

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to modify the combination of Swamy and Kirkendoll for the same reasons as mentioned above.

Allowable Subject Matter

10. Claims 1-16 are allowed.

11. The following is a statement of reasons for the indication of allowable subject matter: The prior art disclosed by the applicant and cited by the Examiner fail to teach or suggest, alone or in combination, a remote control device wherein an electrical signal detector, upon detection of the detachment of the removable I/O device, triggers the processor to provide for

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automatic configuration of external video outputs or internal display modes in combination with the other recited claim limitations.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eron J. Sorrell whose telephone number is 571 272-4160. The examiner can normally be reached on Monday-Friday 8:00AM - 4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Huynh can be reached on 571-272-4147. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

EJS
September 27, 2006



KIM HUYNH
SUPERVISORY PATENT EXAMINER

9/29/06